



Wisconsin Department of Transportation

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March 2, 2010

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

226525

BY ELECTRONIC FILING

Re: Wisconsin Central, Ltd. – Abandonment Exemption – Polk County, WI
STB Docket No. AB-303 (Sub No. 18X)

Dear Ms. Brown,

Wisconsin Department of Natural Resources ("WisDNR") submits this letter to inquire about the status of the Board's decision on whether to extend the negotiating period for the above-entitled NITU. I consulted with Attorney Michael Barron of Wisconsin Central, Ltd., and WisDNR staff to determine the status of the negotiations for this rail line segment, and submitted an update to the Board by letter dated January 21, 2010.

Because the negotiating period expired on January 9, 2010, thus eliminating the legal or regulatory barrier to abandonment, WCL is obliged to file notice of consummation of the abandonment by March 10, 2010. See 49 CFR 1152.29(e)(2). WCL expressed to WisDNR that it may file the notice of consummation to comply with the applicable rules unless the NITU negotiating period is extended.

DNR and WCL respectfully request that the Board allow the NITU to be extended for 180 days. If the NITU lapses and WCL does not consummate the abandonment, WCL may be forced to rehabilitate the line to meet its common carrier obligation even though no current consumer exists on the line. Alternatively, if DNR purchases the line for trail use before the consumer develops, the line will have to go through the regulatory process of reactivation. Both DNR and WCL agree that the current status, although not ideal, does afford both parties, the public and the business interest the most advantageous position to best use the rail segment when the relevant circumstances are resolved.

Thank you for your attention to this request. Please contact me with any questions or concerns, or if I can provide any additional information.

Very truly yours,

Kathleen Chung

Kathleen Chung
Wisconsin Department of Transportation

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CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing letter of explanation in regards to **AB303 18X**, by electronic mail, pursuant to 49 C.F.R. §1104.12, this 2nd day of March, 2010, on all parties of record on the service list.

Kathleen Chung

Kathleen Chung, Attorney
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